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Hon. Colleen McMahon
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Syl Consulting, LLC and Nicolas Sangros v. Community USA II LLC*
1:23-cv-01377-CM

Dear Judge McMahon:

This office represents plaintiffs Syl Consulting LLC and Nicolas Sangros in the above-referenced matter. A discovery dispute has arisen amongst the parties and, pursuant to the Court's Individual Practices and Procedures, Plaintiffs hereby request an order of reference to the Magistrate Judge to resolve the matter.

Defendant has recently sought to schedule three depositions and provided Plaintiff with a copy of a third-party subpoena. Plaintiff, however, believes these actions are premature where there is a pending and fully-briefed motion to dismiss Defendant's counterclaims pursuant to Rule 12(b)(6) and a Rule 11 motion concerning Defendant's pleadings. The parties participated in a telephonic meet and confer on September 28, 2023 concerning Plaintiff's proposed motion and were unable to resolve the dispute.

Ultimately, where the scope of discovery has yet to be defined, Plaintiffs believe a stay is necessary to prevent undue burden and harassment and will promptly submit their motion for a stay promptly upon this Court's referral.

Very truly yours,

Daniel Knox

9/25/2023
Discovery
counterclaim is NOT
stayed pending a decision on
the motion to dismiss the
counterclaim; despite the
it is clear briefing
not all the
counterclaim
against all
defendants
will be dismissed
ref to MI for
pre trial.